

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DUANE RANGE,

Plaintiff,

v.

MICHAEL EAGAN, ET AL.,

Defendants.

Case No. 17-11245

SENIOR U.S. DISTRICT JUDGE
ARTHUR J. TARNOW

U.S. MAGISTRATE JUDGE
DAVID R. GRAND

**ORDER ADOPTING REPORT AND RECOMMENDATION [49] AND GRANTING
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT [45]**

On April 20, 2017, Plaintiff Duane Range, a former prisoner in the custody of the Michigan Department of Corrections (“MDOC”), through counsel, filed a civil rights complaint [Dkt. 1] against two groups of defendants: 1) CPI, Inc., a private company, as well as CPI employees Scott Montgomery, Matthew Buryta, Greg Konopka, and Kyle Foley (“the CPI Defendants”); and 2) Michael Eagan, the Michigan Parole Board, Heidi Washington, the MDOC, Sara Flesher, and Sherry Underwood (“the State Defendants”). He claims that Defendants violated his freedom of religion under the First Amendment.

The Court referred all pretrial matters to the Magistrate Judge on August 25, 2017 [11]. On January 17, 2018, the Court issued an Order [31] resolving two Reports and Recommendations (“R&R”) [20, 26]. The Court’s Order, among other

things, granted the CPI Defendants' Motion to Dismiss [9]. Those defendants are no longer part of this action.

Plaintiff was discharged from MDOC custody on February 2, 2018. Plaintiff subsequently filed two amended complaints [34, 38] on February 8, 2018 and April 13, 2018, respectively.

Defendants Michael Eagan and Heidi Washington filed a Motion for Summary Judgment [45] on May 31, 2018. Approximately two months later, the Magistrate Judge issued an R&R [49] advising the Court to grant the motion and dismiss Plaintiff's claims without prejudice. No objections to the R&R were filed.

The Court having reviewed the briefings and the Report and Recommendation [49], the Report and Recommendation is hereby **ADOPTED** and entered as the findings and conclusions of the Court. Accordingly,

IT IS ORDERED that Defendants' Motion for Summary Judgment [45] is **GRANTED**. Plaintiff's claims against Michael Eagan and Heidi Washington are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

Dated: August 22, 2018

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge